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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JOSEPH FIORAVANTE, an individual;  
MODERN ORTHOPAEDICS, LLC, a  
Nevada Corporation,

Plaintiff,

vs.

LEICA MICROSYSTEMS, INC., a  
Delaware corporation; SOUTH RIDGE  
MICROSURGICAL, INC., a Utah  
corporation; STEVE MILAZZO, an  
individual (California); BRANDON  
ELGGREN, an individual (Utah); DOES I  
through X, inclusive; and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

**CASE NO. 2:18-cv-00059-GMN-CWH**

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO FILE A  
RESPONSIVE PLEADING TO  
PLAINTIFF'S COMPLAINT**

**(First Request)**

COMES NOW, Plaintiffs Joseph Fioravante and Modern Orthopaedics, LLC,  
("Plaintiffs") and Defendants, Brandon Elggren and South Ridge Microsurgical, Inc., collectively  
the ("Applicable Defendants"), through counsel, hereby stipulate and agree pursuant to Local  
Rules 6-1, 6-2 and 7-1 as follows:

**STIPULATION**

IT IS HEREBY STIPULATED by Plaintiffs and Applicable Defendants that Defendants Brandon Elggren and South Ridge Microsurgical, Inc. shall have an extension of time until March 26, 2018 to file a responsive pleading to Plaintiff's Amended Complaint [Dkt. 3] in order to allow additional time for the Applicable Defendants to evaluate the allegations set forth in the Amended Complaint and the factual circumstances underlying such allegations. Plaintiffs are agreeable to the requested extension as a matter of professional courtesy. This is the first stipulation for an extension of time for the Applicable Defendants to respond to the Amended Complaint.

IT IS FURTHER STIPULATED by the parties that this stipulation does not constitute any waiver of claims for defenses and that the extension of time to file a responsive pleading includes an extension to file a Motion to Dismiss pursuant to FRCP 12(b).

IT IS FURTHER STIPULATED by the parties that this stipulation is made in good faith and not for the purposes of delay.

Dated: February 26, 2018

Dated: February 26, 2018

By: /s/ Matthew C. Piccolo  
Matthew C. Piccolo  
Nevada State Bar No. 14331  
**PICCOLO LAW OFFICES**  
8565 S. Eastern Ave., Ste. 150  
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By: /s/ M. Lani Esteban-Trinidad\*  
M. Lani Esteban-Trinidad  
Nevada Bar No. 6967  
**THE THATER LAW GROUP, P.C.**  
6390 W. Cheyenne Ave, Ste. A  
Las Vegas, Nevada 89108  
\* With Permission

*Attorneys for Defendants Brandon Elggren  
and South Ridge Microsurgical, Inc.*

*Attorneys for Plaintiffs Joseph  
Fioravante and Modern Orthopaedics,  
LLC*

**IT IS SO ORDERED:**

Dated: February 27, 2018  
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United States Magistrate/District Judge

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Executed: February 26, 2018.

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Matthew C. Piccolo